

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GEORGE ARTHUR,)	3:12-CV-0233-LRH (VPC)
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	October 17, 2012
)	
C/O FIKES, et al.,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is plaintiff's motion to order Warden Baker at Ely State Prison ("ESP") to comply with Administrative Regulation 722.02 legal assistance by inmates (#28). Defendants filed an opposition (#31), and no reply was filed.

Plaintiff's requested relief is not cognizable by the court as it is unrelated to the claims in plaintiff's complaint which allege that his Eighth Amendment rights were violated by defendants' deliberate indifference to threats to his safety (#6). Plaintiff's motion improperly seeks injunctive relief concerning the operations of the ESP law library.

Injunctive relief is improper because plaintiff has not attempted to show that: (1) he is likely to succeed on the merits; (2) he is likely to suffer irreparable harm in the absence of injunctive relief; (3) the balance of equities tips in his favor; and (4) an injunction is in the public interest. *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20 (2008) (citations omitted). Moreover, plaintiff must show a relationship between the injury, from which he seeks injunctive relief, and the conduct alleged in the complaint. *Devose v. Herrington*, 42 F.3d 470, 471 (8th Cir. 1994); *Little v. Jones*, 607 F.3d 1245, 1250-51 (10th Cir. 2010); *Colvin v. Caruso*, 605 F.3d 282, 299-300 (6th Cir. 2010); *Omega World Travel, Inc. v. Trans World Airlines*, 111 F.3d 14, 16 (4th Cir. 1997).

If plaintiff has claims related to the law library at ESP, he may seek redress for those issues through the grievance process. Plaintiff may not circumvent the NDOC grievance process to seek relief from the court related to the law library for matters that have nothing to do with his complaint. Therefore,

IT IS ORDERED that plaintiff's motion to order Warden Baker at Ely State Prison to comply with Administrative Regulation 722.02 legal assistance by inmates (#28) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk